

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT
LB882

Hearing Date: Tuesday February 02, 2010
Committee On: Agriculture
Introducer: Rogert
One Liner: Change provisions relating to disposal of dead animals

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Carlson, Council, Dierks, Dubas, Karpisek, Price, Schilz, Wallman
Nay:
Absent:
Present Not Voting:

Proponents:

Senator Kent Rogart
Douglas Parde
David K. Hardin
Craig Head
Hank Cerny
Ed Woeppel
Harry Muhlbach
Duane Gangwish

Representing:

Introducer
Nebraska Cattlemen
University of Nebraska - Lincoln
Nebraska Farm Bureau Federation
Nebraska Veterinary Medical Association
Nebraska Cooperative Council
Self
Nebraska Cattlemen

Opponents:

Neutral:

Dennis A. Hughes D.V.M.

Representing:

Representing:

State Veterinarian - Department of Agriculture, Bureau of Animal Industry

Summary of purpose and/or changes:

LB 882 revises provisions of section 54-744 governing the disposal of livestock and other animal carcasses. Currently, this section prescribes a duty of animal owners or custodians to timely bury or completely burn dead animals, or to dispose to a licensed rendering establishment. The statute currently limits burial or incineration to the premises where the animal dies. Section 54-744 also allows carcasses up to 600 lbs. to be incorporated into a composting facility adhering to composting methods described in a cited publication upon the premises where the animal has died. LB 882 would make the following revisions:

-- Allows carcasses to be buried, incinerated or incorporated into a compost facility on the premises where death occurs or upon an adjacent property under the ownership or control of the animal owner. Standards for vehicles utilized to transport carcasses to prevent spillage from the vehicle during transport are prescribed. Operation of a vehicle transporting carcasses not meeting the containment requirements and limitations for transport described is declared a traffic infraction.

- Allows transport by a licensed rendering truck to a rendering establishment or to a licensed landfill that may accept a carcass. The revisions insert recognition that a landfill operator is not obligated to accept carcasses.
- Removes a size limitation for carcasses disposed of to a composting facility. The revisions strike an obsolete reference to carcass disposal methods described in a cited publication. The revisions retain that composting shall be subject to regulation of the Department and that composting will adhere to any regulations established by the Department in consultation with UNL/IANR.
- Rearrangement of subsection (1) of 54-744 is made for style and clarity and to better incorporate the primary substantive changes of the bill. The term "incineration" is substituted for the term "burn" for consistency with terminology for the process utilized elsewhere in law.

Explanation of amendments:

Explanation of committee amendments, if any:

The committee amendment (AM1853) would authorize a veterinary clinic or veterinary diagnostic laboratory to utilize alkaline hydrolysis as a method of disposal of animal carcasses or carcass parts. The amendment describes alkaline hydrolysis as a process utilizing heat and an alkaline agent to decompose biological tissues. The method is utilized at a number of diagnostic and research facilities in the U.S. as an alternative to incineration. Express authorization allowing veterinary facilities to utilize this disposal method is intended to assist current planning by the University to upgrade and expand veterinary diagnostic facilities. Further, AM 1853 clarifies that the authorization to use this process is not to be construed as exempting waste products of the process from any applicable regulation pertaining to disposal of wastes.

Tom Carlson, Chairperson